United Nations CRC/SP/SR.22

Meeting of the States Parties to the Convention on the Rights of the Child

Distr.: General
31 January 2013

Original: English

Fourteenth Meeting

Summary record of the 22nd meeting
Held at Headquarters, New York, on Tuesday, 18 December 2012, at 10 a.m.

Temporary Chair: ..... Mr. Šimonović (Representative of the Secretary-General)
Chair: ..... Mr. McLay (New Zealand)

Contents

Opening of the Meeting by the representative of the Secretary-General

Election of the Chair

Adoption of the agenda

Election of other officers of the Meeting

Election of nine members of the Committee on the Rights of the Child in accordance with article 43 of the Convention on the Rights of the Child as amended by General Assembly resolution 50/155

Other matters

Closure of the Meeting

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The meeting was called to order at 10.20 a.m.

Opening of the Meeting by the representative of the Secretary-General

1. **The Temporary Chair**, speaking on behalf of the Secretary-General, said that the adoption by the General Assembly of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure was a major development in the overall protection of children's rights and had established the competence of the Committee on the Rights of the Child to examine individual and inter-State communications, as well as to initiate inquiry procedures for grave or systematic violations of specific rights under the Convention and its Optional Protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, respectively. The third Optional Protocol had been opened for signature in Geneva on 28 February 2012 and had been signed by 35 States to date. It would enter into force after the deposit of the tenth ratification and the rules of procedure regarding its implementation would be adopted by the Committee in January 2013.

2. Since the Thirteenth Meeting of the Conference of States Parties to the Convention, the Optional Protocol on the involvement of children in armed conflict had been ratified by 11 additional States and the Optional Protocol on the sale of children, child prostitution and child pornography by 22 additional States, bringing the number of States parties to those two instruments to 150 and 162, respectively. With 193 States parties, the Convention remained the most widely accepted international human rights instrument. However, monitoring its implementation and that of its Optional Protocols had posed serious challenges for the Committee. Since the last of its two-chamber sessions, held in October 2010, it had examined 39 reports submitted by States parties under article 44 of the Convention, 12 reports submitted under article 12 of the Optional Protocol on the sale of children, child prostitution and child pornography and 10 reports submitted under article 8 of the Optional Protocol on the involvement of children in armed conflict. Despite its efforts to reduce the backlog, 107 reports were still pending consideration, which represented a delay of three to four years between submission and consideration of a report.

3. The Committee had therefore requested the General Assembly to approve, on a permanent basis, the holding of one of its three annual sessions in two chambers until a sustainable solution to the backlog was found. A draft resolution authorizing the Committee to meet in double chambers in 2014 and 2015 (A/C.3/67/L. 36) was expected to be adopted by the Assembly in the near future, but that temporary measure would stabilize the situation only in the short term. The Committee was actively involved in the process of strengthening the treaty body system and its request for a permanent double chamber reflected the urgent need to address the disparity between its workload and the resources at its disposal, which would only widen with the adoption of the new Optional Protocol.

4. To help States parties understand the Committee's interpretation of the rights protected under the Convention, the Committee had continued to work on five new general comments and, at its fifty-sixth session in January 2011, had adopted general comment No. 13 on the right of the child to freedom from all forms of violence; three more general comments were likely to be adopted at its January 2013 session. However, in light of the urgent need to address the backlog of reports, the Committee had decided not to consider any new proposals for general comments for the time being.

Election of the Chair

5. **Mr. Ulibarri** (Costa Rica) nominated Mr. McLay (New Zealand) for the office of Chair of the Meeting.

6. *Mr. McLay (New Zealand) was elected Chair of the Meeting by acclamation.*

7. *Mr. McLay (New Zealand) took the Chair.*

Adoption of the agenda (CRC/SP/43)

8. *The agenda was adopted.*

9. **The Chair** drew attention to rules 2 and 3 of the rules of procedure, contained in document CRC/SP/5, and said he had been informed that the Secretary-General had yet to receive proper credentials from a number of the States parties represented at the Meeting. He urged those States parties to submit the credentials of their representatives to the Secretary-General as soon as possible and suggested that, in accordance with rule 3, the representatives of those

States parties should be entitled provisionally to participate in the meeting.

10. *It was so decided.*

Election of other officers of the Meeting

11. *Ms. Coye-Felson (Belize), Mr. Makriyiannis (Cyprus) and Mr. Marn (Slovenia) were elected Vice-Chairs.*

Election of nine members of the Committee on the Rights of the Child in accordance with article 43 of the Convention on the Rights of the Child as amended by General Assembly resolution 50/155
(CRC/SP/44 and Add.1 and 2)

12. **The Chair**, drawing attention to paragraphs 2, 3 and 5 of article 43 of the Convention, recalled that in accordance with article 43, as amended, the nine Committee members to replace those whose terms would expire on 28 February 2013 were to be elected for a term of four years by secret ballot from a list of persons nominated by States parties. That list was contained in document CRC/SP/44 and Add.1. The nomination of the candidate from Qatar, Mr. Al Obaidly, had been withdrawn.

13. *At the invitation of the Chair, Mr. Hossain (Bangladesh), Mr. Adler (Canada), Ms. Romulus (Haiti) and Ms. Griffin (Lithuania) acted as tellers.*

14. *A vote was taken by secret ballot.*

Number of ballot papers:	189
Number of valid ballots:	189
Number of representatives voting:	189
Required majority:	95
Number of votes obtained:	
Ms. Assouma (Togo):	82
Ms. Aldoseri (Bahrain)	100
Ms. Congo/Zongo (Burkina Faso)	55
Ms. Fierro (Ecuador)	125
Mr. Guran (Slovakia)	104
Ms. Khazova (Russian Federation)	129
Mr. Mezmur (Ethiopia)	136
Ms. Shariff (Malaysia)	150
Mr. Neto (Brazil)	161
Ms. Parsi (Italy)	146
Mr. Pollar (Uganda)	97
Mr. Twea (Malawi)	77
Ms. Varmah (Mauritius)	83
Ms. Winter (Austria)	153

15. Having obtained the required majority, Ms. Aldoseri (Bahrain), Ms. Fierro (Ecuador), Mr. Guran (Slovakia), Ms. Khazova (Russian Federation), Mr. Mezmur (Ethiopia), Mr. Neto (Brazil), Ms. Parsi (Italy), Ms. Shariff (Malaysia) and Ms. Winter (Austria) were elected members of the Committee on the Rights of the Child.

Other matters

16. **Mr. Weisleder** (Costa Rica), speaking also on behalf of Slovenia, said that the work of the treaty bodies was at the core of the United Nations system for promoting and protecting human rights, and both countries hoped that the new Optional Protocol on the Rights of the Child on a communications procedure would enter into force as soon as possible. In the meantime, it was essential to find a sustainable solution to the backlog of reports submitted to the treaty bodies. The intergovernmental process of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system provided an important opportunity to do so and he urged States parties to adopt decisions quickly as part of that process; however, they must also take urgent measures as necessary.

17. To that end, the delegations of Slovenia and Costa Rica had submitted to the Third Committee a draft resolution on the rights of the child (A/C.3/67/L.35), which, if adopted by the General Assembly, would authorize the Committee on the Rights of the Child to meet in parallel chambers during one of its pre-session working group meetings in 2013 and one of its regular sessions in 2014. Unfortunately, some delegations had been opposed to the implementation of even that limited measure as early as 2013 and the text of the draft resolution had had to be revised by the sponsors in order to delay its application until the biennium 2014-2015. Furthermore, negotiations on the draft resolution had been complicated by the failure of the Programme Planning and Operations Division to provide the necessary information in a timely manner.

18. The draft resolution, if adopted, should prevent the backlog from reaching unmanageable levels. Nevertheless, despite the difficult global financial situation, States parties should assume more responsibility for the proper functioning of the Committee. Human rights were one of the pillars of the United Nations and deserved the support of Member

States; he therefore urged delegations to provide increased funding and submit proposals on ways to address the problem. An agenda item should also be devoted to that subject at future meetings of States parties to the Convention.

19. **Mr. Sparber** (Liechtenstein) said that the Committee faced important tasks, such as preparing for the entry into force of the new Optional Protocol. At the same time, it faced continuous problems of a systemic nature, including the disparity between its capacity and the number of reports submitted by States parties. A sustainable solution was urgently needed and the General Assembly must provide the Committee with sufficient funding to carry out its important mandate. His delegation welcomed the draft resolution and encouraged the Committee to continue to improve its working methods in consultation with States parties and in light of past experience and to consider the recommendations contained in the report of the High Commissioner on Human Rights on strengthening the United Nations human rights treaty body system.

20. The ongoing treaty body strengthening process in the General Assembly had given rise to a number of proposals whose implementation fell within the competence of States parties; their discussion of such proposals within the framework of their annual meeting would be beneficial not only to the treaty bodies, but to implementation of the Convention itself. For example, as reporting compliance was relatively high under the Convention and its Optional Protocols as compared to other United Nations human rights instruments, States parties might be able to identify mechanisms that could be of value in other contexts.

21. Lastly, in order to give effect to the provisions of the Convention, and particularly article 43 thereof, a level playing field should be established in elections to the Committee. His delegation had proposed the establishment of a platform that would allow candidates to present themselves on an equal footing and to engage with States parties and civil society in a comparative, interactive manner.

Closure of the Meeting

22. **The Chair** declared the Fourteenth Meeting of the States Parties to the Convention on the Rights of the Child closed.

The meeting rose at 12.10 p.m.